

REMARKS

Claims 58-82 are pending in the present application, claims 36-52 having been canceled and claims 58-82 having been added herein. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

Before beginning to respond to the rejections, Applicants reiterate their request made in the response filed on February 5, 2007. In particular, **Applicants note that Information Disclosure Statements were filed in this case on October 12, 2001, and April 3, 2006. Applicants respectfully request that the Examiner provide Applicants with a copy of the form SB/08A with the Examiner's initials on such forms adjacent to each citation, thus confirming that the Examiner has considered these citations.**

Claims 36-57 were rejected under 35 U.S.C. §101, as allegedly being drawn to non-statutory subject matter. The claims have been rewritten as claims 58-82 and Applicant respectfully submit that claims 58-82 are patentable under 35 U.S.C. § 101. For example, independent claims 58 and 63 recite a communication terminal comprising first and second wireless communication sections. Independent claim 67 recites an electronic wallet having an electronic information storing means for storing and managing an electronic value, the electronic wallet for execution on a central processing unit. Independent claim 77 recites a service terminal having means for storing and managing an electronic value handler for processing a transaction settlement with an electronic wallet having an electronic value encrypted by using a public key encryption. Independent claim 78 recites a computer-implemented method for generating an electronic value encrypted by using a public key encryption for processing a transaction settlement between a first terminal and a second terminal. Thus, these claims are not directed to

mere ideas in the abstract; they relate to processors or terminals. Withdrawal of this rejection is respectfully requested.

Claims 36-57 were rejected under 35 U.S.C. § 102(e) as being anticipated by Matsumoto et al. (U.S. Patent No. 6,345,263). This rejection is respectfully traversed for the following reasons.

In the previous office action, the Examiner cited the entire specification of Matsumoto ("see column 1 lines 1-67 and column 2 lines 1-44 and column 3-7 lines 1-67 and column 8 lines 1-57") with respect to each pending claim. Thus, the Examiner provided no information as to how he was reading the reference on the claims as required by the MPEP. See § 707, which states:

In accordance with the patent statute, "Whenever, on examination, any claim for a patent is rejected, or any objection . . . made," notification of the reasons for rejection and/or objection together with such information and references as may be useful in judging the propriety of continuing the prosecution (35 U.S.C. § 122) should be given.

When considered necessary for adequate information, the particular figure(s) of the drawing(s), and/or page(s) or paragraph(s) of the reference(s), and/or any relevant comments briefly stated should be included.

Citation to the entire specification is not sufficient notification of the reasons for the rejection. Once again (see response filed on February 5, 2007, page 12), Applicants request that if this rejection is maintained, the Examiner is requested to particularly point out where in the reference, with citation to specific elements in the references, where the claimed elements can be found. Applicants respectfully submit that when the Examiner attempts to find each of the claimed elements, arranged as in the claim, in the specific details of Matsumoto, they will not be

there, and the rejection will be withdrawn. In any event, until the Examiner performs this necessary analysis, and sets forth his reasoning, it is unlikely that real progress will be made in advancing prosecution to allowance, because the Applicants cannot fully comprehend how the Examiner is reading the claims, and the reference, in making this rejection.

Turning now to the prior art, Matsumoto relates to an electronic purse application system for executing electronic purchases. According to Matsumoto, encryption key information for releasing the scrambling of video, audio and control signal and amount information for amount approval are stored in an IC card. Data encrypted in a scrambled key and program information in encryptor 4 is processed in a scrambled key and program information decryptor 21. In the case of processing by the decryptor 21, data is decrypted by the encryption key stored in the encryption key storage 22 according to predetermined rules. This encryption key is managed by the management company and in a uniform manner, so that a viewer who is not under contract with the management company cannot decrypt data by the decryptor 21. When the viewer chooses a program to be watched from the program guide and selects it using the input unit 17, only the program selected by the viewer is extracted by the tuner 12, using a control signal output from the system controller 14 (b1) and data is supplied to the descrambler 13. This data is encrypted by the scramble key according to a fixed rule and output from the decoder 11, so that the viewer can watch the selected program on television.

Claim 58 recites a communication terminal comprising a first wireless communication section operable to receive, from an other terminal within a distance for communicating with the communication terminal, information for starting communication with the other terminal, and a second wireless communication section operable to establish a

communication session using said information. Mere citation to the entire specification of Matsumoto does not set forth a *prima facie* case that the reference meets the claimed limitations. Applicants respectfully submit that these elements are not found in Matsumoto arranged as in claim 58. Applicants respectfully submit that claim 63 is patentable over Matsumoto for the same reasons.

Claim 67 recites an electronic wallet having an electronic information storing means for storing and managing an electronic value encrypted by using a public key encryption for processing a transaction settlement. The electronic wallet is executed on a central processing unit. The electronic value comprises a security information including a private key specific to an electronic value and a certificate of a public key corresponding to the private key, and a value property descriptor for defining a property of the electronic value including a variable information that is updated by a transaction settlement processing and a fixed information that is not be changed by a transaction settlement processing. The electronic value is an electronic information for processing the transaction settlement, and an electronic signature by the private key is added to the variable information. Mere citation to the entire specification of Matsumoto does not set forth a *prima facie* case that the reference meets the claimed limitations. Applicants respectfully submit that these elements are not found in Matsumoto arranged as in claim 67.

Claim 77 recites a service terminal having means for storing and managing an electronic value handler for processing a transaction settlement with an electronic wallet having an electronic value encrypted by using a public key encryption. The electronic value handler comprises a security information including an authentication key of the electronic value handler,

and a value property descriptor including a property information of the electronic value and defining the property of the electronic value for processing a transaction settlement, and a service control including at least one of service control module defining the transaction settlement. An electronic signature signed by the issuer of the electronic value is added to the electronic value handler, and a mutual authentication is performed with the electronic wallet by using the authentication key. A service control message based on the service control module is embedded into the data transmitted to the electronic wallet at the time of the mutual authentication, and the service control module processes a service control message embedded into the data received from the electronic wallet at the time of the mutual authentication. Mere citation to the entire specification of Matsumoto does not set forth a *prima facie* case that the reference meets the claimed limitations. Applicants respectfully submit that these elements are not found in Matsumoto arranged as in claim 77.

Claim 78 recites a computer-implemented method for generating an electronic value encrypted by using a public key encryption for processing a transaction settlement between a first terminal and a second terminal, comprising the steps of generating a pair of keys including a private key specific to the electronic value and a public key corresponding to the private key and certificate of the public key, generating a variable information that is updated by a transaction settlement processing and a fixed information that is not be changed by a transaction settlement processing as information for defining a property of the electronic value, and digitally signing the variable information with the private key. Mere citation to the entire specification of Matsumoto does not set forth a *prima facie* case that the reference meets the claimed limitations.

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Applicants respectfully submit that these elements are not found in Matsumoto arranged as in claim 78.

Claims 59-62, 64-66, 68-76, and 79-82 are believed to be patentable in and of themselves and for the reasons discussed above with respect to the independent claims from which they depend. For at least these reasons, Applicant respectfully submits that claims 58-82 are patentable over the prior art of record.

In view of the above amendment and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of record. Applicant submits that the application is in condition for allowance and early notice to the effect is most earnestly solicited.

If the Examiner has any questions, he is invited to contact the undersigned at 202-628-5197.

Respectfully submitted,

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